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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: 17 U.S.C. § 512(h) SUBPOENA TO
DYNADOT, LLC

Case No.

REQUEST TO THE CLERK FOR
ISSUANCE OF SUBPOENA PURSUANT
TO 17 U.S.C. § 512(h)

Pit Barrel Cooker Co., LLC (“PBC”) hereby requests that the clerk of this Court issue a subpoena to DynaDot, LLC (“DynaDot”) to identify an infringer pursuant to 17 U.S.C. § 512(h). This Request satisfies the statutory requirements of 17 U.S.C. § 512(h).

Under 17 U.S.C. § 512(h):

“[a] copyright owner or a person authorized to act on the owner’s behalf may request the clerk of any United States district court to issue a subpoena to a service provider for identification of an alleged infringer in accordance with this subsection.” PBC is the copyright owner of the text and images on pitbarrelcooker.com.

“The request may be made by filing with the clerk:

(A) a copy of a notification described in subsection (c)(3)(A)” -- Copies of three notifications as described in 17 U.S.C. § 512(c)(3)(A) are attached hereto as **Exhibits A-1**

through A-3;

“(B) a proposed subpoena” -- A proposed subpoena is attached hereto as **Exhibit B**;
and

“(C) a sworn declaration to the effect that the purpose for which the subpoena is sought is to obtain the identity of an alleged infringer and that such information will only be used for the purpose of protecting rights under this title.” A sworn declaration setting forth the purpose and use for which the subpoena is sought is attached hereto as **Exhibit C**.

“If the notification filed satisfies the provisions of subsection (c)(3)(A), the proposed subpoena is in proper form, and the accompanying declaration is properly executed, the clerk shall expeditiously issue and sign the proposed subpoena and return it to the requester for delivery to the service provider.” *Id.* at § 512(h)(4).

The attached Exhibits satisfy the requirements of 17 U.S.C. § 512(h).

Accordingly, PBC respectfully requests that the clerk expeditiously sign and issue the proposed subpoena (**Exhibit B**) and return it to the undersigned counsel for PBC for service on DynaDot.

Dated: October 15, 2021

FENNEMORE DOWLING AARON

By: 

Todd S. Kartchner

Attorneys for Pit Barrel Cooker Co., LLC